

## REMARKS

This communication is in response to the Office Action issued June 9, 2005. The Examiner rejected claims 1-7, 17, 18, and 29-35 under 35 U.S.C. § 102 in view of U.S. Patent No. 124,108 to Anderson (Anderson). The Examiner rejected claims 9-16 under 35 U.S.C. § 103 in view of Anderson. The Examiner indicated that claims 8 and 19-28 were allowable.

### Claim Rejections Under 35 U.S.C. § 102

On page 2 of the Office Action, the Examiner rejected claims 1-7, 17, 18, and 29-35 under 35 U.S.C. § 102 in view of Anderson.

It is well settled that for a rejection of a claim under 35 U.S.C. § 102 to be proper, each and every element as set forth in the claim must be found in a single reference. See, for example, MPEP § 2131. For at least the reasons stated below, the Examiner's rejections of the claims do not satisfy this burden.

Anderson appears to disclose a clamp that allows for differing sized riggings to be used. Anderson, however, does not disclose, nor suggest, each and every element of the instant claims. For example, Anderson does not disclose a locking mechanism as required by the claims. While the Examiner identified part "E,e,C" as being a locking mechanism, no such part "e" is seen in Anderson. As another example, Anderson makes no mention whatsoever of retaining a golf club head or providing inserts contoured to (see claims 3, 34) or designed to envelope (see claims 4, 35) anything, let alone a golf club head.

In view of the foregoing, the Examiner's rejections under 35 U.S.C. § 102 to the claims are believed to be overcome.

Claim Rejections Under 35 U.S.C. § 103

On pages 2 and 3 of the Office Action, the Examiner rejected claims 9-16 under 35 U.S.C. § 103 in view of Anderson.

It is well settled that for a rejection of a claim under 35 U.S.C. § 103 to be proper, each and every recitation of the claim must be present in the cited reference(s). See, for example, MPEP § 2143.03. It is also well settled that for a rejection of a claim under 35 U.S.C. § 103 to be proper, there must be some suggestion or motivation to modify a reference or combine reference teachings. See, for example, MPEP § 2143.01. When so modifying a reference, the proposed modification cannot render the prior art unsatisfactory for its intended purpose or change the principle of operation of a reference. See, for example, MPEP § 2143.01. The modification must support a reasonable expectation of success with some degree of predictability. See, for example, MPEP § 2143.02. Finally, the source of the suggestion or motivation to modify a reference cannot be the Applicant's own disclosure. See, for example, MPEP § 2143. For at least the reasons stated below, the Examiner's rejections of the claims do not satisfy these burdens.

The Applicant respectfully traverses the Examiner's obviousness rejections. First, the Applicant traverses the Examiner's statements regarding "criticality." Second, the Applicant explains the reasons for choosing the recited inserts in the written description. See, for example, page 6, line 21 to page 8, line 15. Finally, the Examiner has not provided any motivation as to why one would modify the Anderson device to include the instantly disclosed and claimed inserts.

In view of the foregoing, the Examiner's rejections under 35 U.S.C. § 103 to the claims are believed to be overcome.

Allowable Subject Matter

On page 3 of the Office Action, the Examiner indicated that claims 8 and 19-28 were allowable. The Applicant appreciates the Examiner's indication of allowable subject matter. The Applicant has placed allowable claim 20 into independent form. The Applicant has added claim 36, which is substantially identical to allowable claim 20, but dependent from independent claim 33.

Additional Fees

The Commissioner is hereby authorized to charge any insufficiency, including a \$50 fee for the addition of one claim, or credit any overpayment associated with this application to Swidler Berlin LLP Deposit Account No. 19-5127 (order no. 20002.0351).

Conclusion

Claim 20 has been amended, and claim 36 has been added. Claims 1-36 are pending in the application, and are believed to be in condition for allowance. In view of the foregoing, all of the Examiner's rejections of the claims are believed to be overcome. The Applicant respectfully requests reconsideration and issuance of a Notice of Allowance for all claims. Should the Examiner feel further communication would help prosecution, the Examiner is urged to call the undersigned at the telephone number provided below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Sean P. O'Hanlon", with a stylized flourish at the end.

Sean P. O'Hanlon  
Reg. No. 47,252

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